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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,368	09/30/2003	Hyun-Kwon Chung	1293.1956	4342

49455 7590 04/21/2008

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EXAMINER	
PICH, PONNOREAY	

ART UNIT	PAPER NUMBER
2135	

MAIL DATE	DELIVERY MODE
04/21/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/673,368	CHUNG, HYUN-KWON	
	Examiner	Art Unit	
	PONNOREAY PICH	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 January 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-50* is/are pending in the application.

4a) Of the above claim(s) *1,2 and 15-48* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *3-14 and 49-50* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/15/08 has been entered. Any official notices made in the prior office action not specifically and/or adequately traversed are taken as admittance of prior art as per MPEP 2144.03.

As noted in the last office action, a complete reply by applicant to the last office action must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144). See MPEP 821.01. The failure by applicant to either cancel nonelected claims or take other appropriate action in response to the last office action is assumed to be an inadvertent oversight by applicant. Applicant is reminded once more that appropriate action must be taken in response to this office action either by cancellation of nonelected claims or other appropriate action set forth by 37 CFR 1.144. Further failure to do will be interpreted as willful non-responsiveness.

Claims 3-14 and 49-50 were examined.

Response to Amendment

Rejections made in the last office action are withdrawn due to applicant's amendments. However, note new rejections made below in response to the amendments.

Claim Rejections - 35 USC § 112

Claims 13-14 and 49-50 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 13-14 both recite "the reliable context". It is unclear to which "reliable context" is being referred in both claims since claim 12 from which claims 13 and 14 depend recite "a reliable context" in both line 3 and in line 6, thereby implying more than one "reliable context".

Claims 49-50 contains the trademark/trade name "Java". Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe a program and, accordingly, the identification/description is indefinite.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 12-14 and 50 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 12 is not statutory because the steps of the claimed security method do not produce any concrete, useful, and tangible result. Applicant is respectfully advised that this rejection may be overcome by reciting additional steps which makes use of the generated context to provide a practical application.

Claims 13-14 and 50 are dependent on claim 12 and the additional limitations recited further therein also do not appear to produce any concrete, useful, and tangible result. As such, claims 13-14 and 50 are also non-statutory.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12-13 and 50 are rejected under 35 U.S.C. 102(b) as being anticipated by Chan et al (US 2002/0019941).

Claim 12:

Chan discloses:

1. Issuing a command by a reliable context (i.e. trusted helper process) to read application content (paragraphs 6, 82, and 85). *The trusted helper process is considered a reliable context because it is trusted. As disclosed in paragraph 85,*

the trusted helper process is used to control access to specific sites. Paragraph 6 discloses application content (i.e. executable codes, dynamic HTML, etc.) being downloaded, thus this implies that the trusted helper process issued commands which resulted in application content being downloaded onto a storage of a network accessible device.

2. Identifying whether the command is a reliable request or an unreliable request based on syntax of the command (paragraph 85). *In one example in the cited paragraph, access is restricted to sites only ending in Microsoft.com. Thus in the cited example, if the command requests access to any other site which does not end in Microsoft.com, the command is not considered a reliable request and access is blocked. Because Chan's invention checks the issued command to see if the request's syntax includes "Microsoft.com", the limitation is met.*
3. Generating a reliable context corresponding to the application content when the command is the reliable request; and generating an unreliable context when the command is the unreliable request (paragraph 80).

Claim 13:

Chan further discloses wherein the application content corresponding to the reliable context is recorded on a disk mounted in the network accessible apparatus (paragraph 6 and Fig 1, disk 32).

Claim 50:

Chan further discloses wherein the application content is a Java program, a script program, or a markup document (paragraph 6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3-4, 7-8, 10, and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chan et al US 2002/0019941) in view of Goodwin, III et al (US 2002/0065914).

Claim 3:

Chan discloses:

1. Generating a context based on an application content received by the network accessible apparatus (paragraphs 6-7, 43, and 80). *Contents are disclosed as being downloaded from websites. Contexts (i.e. executing processes) are generated by executing the downloaded applications.*
2. Identifying whether the context is a reliable context or an unreliable context, wherein the context issues a command to perform a specific operation (paragraph 36). *Executing processes attempts to access various file objects in certain manners. Chan's invention determines whether a process has the rights to access the requested object in the manner requested or not. In this manner, it Chan's invention identifies whether the context/process is reliable or not. Reliable contexts are interpreted as having proper access privileges to the objects they're attempting to access and unreliable contexts do not.*

3. Determining that the specific operation is not permitted when the context is an unreliable context (paragraph 36).
4. Not performing the specific operation when the specific operation is not permitted (paragraph 36). *When the context does not have proper access rights, access is denied, which means access is not performed.*

Chan does not explicitly disclose outputting an error message when the specific operation is not permitted. However, Goodwin discloses outputting an error message when a specific operation that was requested is not permitted (paragraph 41).

At the time applicant's invention was made, it would have been obvious to one of ordinary skill in the art to modify Chan's invention in light of Goodwin's teachings such that when a specific operation is not permitted, it also outputs an error message. One skilled would have been motivated to do so because alerting the user to illegal attempts at specific operations would allow the user to take appropriate corrective actions.

Claim 4:

Chan further discloses wherein the issuing of the command comprises identifying a reliability of the context based on a flag of a memory into which the context that issues the command is loaded (paragraphs 36 and 38).

Claim 7:

Chan and Goodwin further discloses not performing access when the context commands to access data that is recorded on a disk mounted in the network accessible

apparatus (Chan: paragraphs 36 and 67-68) and outputting the error message (Goodwin: paragraph 41).

Claim 8:

As per claim 8, Goodwin further discloses not performing access when the context commands to access another frame through a frame and outputting the error message (paragraphs 37 and 41).

Claim 10:

Chan and Goodwin further discloses not performing access when the context commands to access another context that is operated in the network accessible apparatus (Chan: paragraphs 36, and 67-68) and outputting the error message (Goodwin: paragraph 41).

Claim 49:

Chan further discloses wherein the application content is a Java program, a script program, or a markup document (paragraph 6).

Claims 5-6, 9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chan et al US 2002/0019941) in view of Goodwin, III et al (US 2002/0065914) in further view of applicant's admittance of prior art, herein referred to as AAPA.

Claim 5:

As discussed in the rejection of claim 3, the combination of Chan and Goodwin makes obvious not performing an operation requested by a context command and outputting an error message. Chan and Goodwin do not explicitly disclose the context

command is to preload a markup document to secure seamless reproduction of AV data. However, AAPA discloses (as per MPEP 2144.03) that preloading a markup document to secure seamless reproduction of AV data in response to a context command was well known in the art. For example, buffering AV data played in a browser reads on this limitation.

In light of Chan and Goodwin's teachings of not performing an operation when the specific operation is not permitted and outputting an error message, it would have been obvious to one of ordinary skill in the art to modify the prior art teachings of AAPA such that a preload is not performed when the context commands to preload a markup document to secure seamless reproduction of AV data and outputting the error message. One skilled would have been motivated to do so because not performing operations that are not permitted is common practice in the art of computing for various security reasons.

Claim 6:

As discussed in the rejection of claim 3, the combination of Chan and Goodwin makes obvious not performing an operation requested by a context command and outputting an error message. Chan and Goodwin do not explicitly disclose the context command is to delete data that is preloaded in a memory of the network accessible apparatus. However, AAPA discloses (as per MPEP 2144.03) that context commands to delete data that is preloaded in memory of a network accessible apparatus was well known in the art of computing at the time applicant's invention was made, i.e. deleting data from network storage.

In light of Chan and Goodwin's teachings of not performing an operation when the specific operation is not permitted and outputting an error message, it would have been obvious to one of ordinary skill in the art to modify the prior art teachings of AAPA such that deletion is not performed when the context commands to delete data that is preloaded in a memory of the network accessible apparatus and outputting the error message. One skilled would have been motivated to do so because not performing operations that are not permitted is common practice in the art of computing for various security reasons.

Claim 9:

As discussed in the rejection of claim 3, the combination of Chan and Goodwin makes obvious not performing an operation requested by a context command and outputting an error message. Chan and Goodwin do not explicitly disclose the context command is to access cookies that are stored in the network accessible apparatus by another context. However, accessing data that are stored in the network accessible apparatus by another context was disclosed by Chan (paragraphs 36 and 67-68). Further, AAPA discloses (as per MPEP 2144.03) that cookies being stored on web servers, i.e. network accessible devices, was well known in the art. Cookies are a type of stored data.

At the time applicant's invention was made, it would have been obvious to one of ordinary skill in the art to modify the prior art disclosed by AAPA to not perform access when the context commands to access cookies that are stored in the network accessible apparatus by another context and outputting the error message. One skilled

would have been motivated to do so because not performing operations that are not permitted is common practice in the art of computing for various security reasons.

Claim 11:

As discussed in the rejection of claim 3, the combination of Chan and Goodwin makes obvious not performing an operation requested by a context command and outputting an error message. Chan and Goodwin do not explicitly disclose the context command is to control a reproducing engine, which reproduces AV data recorded on a disk mounted in the network accessible apparatus. However, AAPA discloses (as per MPEP 2144.03) that performing control when the context commands to control a reproducing engine, which reproduces AV data recorded on a disk mounted in the network accessible apparatus, i.e. replicating AV data using an optical drive, was well known in the art.

At the time applicant's invention was made, it would have been obvious to one of ordinary skill in the art to modify the prior art disclosed by AAPA to not perform control as further recited in claim 11. One skilled would have been motivated to do so because not performing operations that are not permitted is common practice in the art of computing for various security reasons.

Allowable Subject Matter

Claim 14 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph and 101, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PONNOREAY PICH whose telephone number is (571)272-7962. The examiner can normally be reached on 9:00am-4:30pm Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ponnoreay Pich/
Examiner, Art Unit 2135